

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA.

Plaintiff,

V.

LIOBANY SERRANO LUNA.

Defendant

CASE NO. CR19-173 RSM

**ORDER CONTINUING TRIAL
DATE**

THIS COURT having considered the Motion of the United States for a continuance of the trial date and the facts set forth therein, and General Order 07-20 of the United States District Court for the Western District of Washington addressing measures to reduce the spread and health risks from COVID-19, which is incorporated herein by reference, hereby FINDS as follows:

1. In light of the recommendations made by the Centers for Disease Control and Prevention (CDC) and Public Health for Seattle and King County regarding social distancing measures required to stop the spread of this disease as well as the lack of the type of personal protective equipment necessary to ensure the health and safety of all participants it is not possible at this time to proceed with a jury trial.

- 1 2. Further, because of the recommendations that individuals at higher risk of
2 contracting this disease –including individuals with underlying health conditions,
3 individuals age 60 and older, and individuals who are pregnant – avoid large
4 groups of people, at this time, it would be difficult, if not impossible, to get a jury
5 pool that would represent a fair cross section of the community. Based on the
6 recommendations it would also be medically inadvisable to do so.
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8 3. As a result, the failure to grant a continuance of the trial date in this case would
9 likely result in a miscarriage of justice. Pursuant to 18 U.S.C. § 3161(h)(7)(A),
10 the ends of justice served by continuing the trial in this case outweighs the best
11 interest of the public and the defendant to a speedy trial.

12 IT IS THEREFORE ORDERED that the trial date is continued to August 17, 2020.

13 The pretrial motions deadline is continued to July 10, 2020.

14 IT IS FURTHER ORDERED that the period time from the date of this order up to and
15 including the trial date of August 17, 2020, shall be excludable time pursuant to 18 U.S.C.
16 § 3161.

17 Dated this 30th day of April, 2020.



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20 RICARDO S. MARTINEZ
21 UNITED STATES DISTRICT JUDGE
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Presented by:

25 /s/Jessica M. Manca
26 JESSICA M. MANCA
27 Assistant United States Attorney
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